

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

GEORGE A. TOLIVER,	)	
	)	
Plaintiff,	)	Case No. 2:15-cv-00633-GMN-PAL
	)	
v.	)	
	)	
OFFICER DOSS,	)	<b>ORDER</b>
	)	
Defendant.	)	
	)	
_____	)	

**I. DISCUSSION**

On September 28, 2015 the Court issued a screening order dismissing defendant Clark County Detention Center with prejudice, dismissing Las Vegas Metropolitan Police Department with leave to amend and permitting the Fourteenth Amendment procedural due process claim against Defendant Doss to proceed. (ECF No. 9 at 8-9). The Court granted Plaintiff 30 days from the date of that order to file an amended complaint curing the deficiencies against Las Vegas Metropolitan Police Department. (*Id.* at 9). The Court specifically stated that if Plaintiff chose not to file an amended complaint, the action would proceed on the Fourteenth Amendment procedural due process claim against Defendant Doss only. (*Id.*). Plaintiff has filed a notice that he does not intend to file an amended complaint. (ECF No. 11). Pursuant to the screening order, this action shall proceed on the Fourteenth Amendment procedural due process claim against Defendant Doss.

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## **II. CONCLUSION**

For the foregoing reasons, **IT IS ORDERED** that, pursuant to the Court's screening order (ECF No. 9), this action shall proceed on the Fourteenth Amendment procedural due process claim against Defendant Doss.

**IT IS FURTHER ORDERED** that the Clerk of Court **SHALL ISSUE** summonses for Defendants Doss, **AND DELIVER THE SAME**, along with the complaint (ECF No. 10), to the U.S. Marshal for service. The Clerk also **SHALL SEND** to Plaintiff **one (1)** USM-285 forms, one copy of the complaint and a copy of this order. Plaintiff shall have **thirty (30) days** within which to furnish to the U.S. Marshal the required USM-285 forms with relevant information as to each Defendant on each form. Within **twenty (20) days** after receiving from the U.S. Marshal a copy of the USM-285 forms showing whether service has been accomplished, Plaintiff must file a notice with the Court identifying which Defendants were served and which were not served, if any. If Plaintiff wishes to have service again attempted on an unserved Defendant(s), then a motion must be filed with the Court identifying the unserved Defendant(s) and specifying a more detailed name and/or address for said Defendant(s), or whether some other manner of service should be attempted.

**IT IS FURTHER ORDERED** that henceforth, Plaintiff shall serve upon Defendants or, if appearance has been entered by counsel, upon the attorney(s), a copy of every pleading, motion or other document submitted for consideration by the Court. Plaintiff shall include with the original paper submitted for filing a certificate stating the date that a true and correct copy of the document was mailed to the Defendants or counsel for the Defendants. The Court may disregard any paper

received by a district judge or magistrate judge which has not been filed with the clerk, and any paper received by a district judge, magistrate judge or the clerk which fails to include a certificate of service.

**IT IS FURTHER ORDERED** that Plaintiff's motion to issue subpoenas (ECF No. 11) is **denied** as moot.

**IT IS FURTHER ORDERED** that Plaintiff's application for leave to proceed *in forma pauperis* (ECF No.12) is **denied** as moot.

DATED: This 27th day of October, 2015.

  
United States Magistrate Judge